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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/682,466	10/09/2003	Pawan Chaturvedi	2374	9192
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OVERLAND PARK, KS 66251-2100			ART UNIT	PAPER NUMBER
			2109	
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			06/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/682,466		CHATURVEDI ET AL.	
	Examiner		Art Unit	
	TuanKhanh Phan		2109	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on April 30, 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

This action is responsive to the Response filed 4/30/07. Claims 1-15 are pending.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-15** are rejected under 35 U.S.C. 102(e) as being anticipated by Casaccia (US Patent 7,158,625).

Regarding **claim 1**, Casaccia teaches a method of canceling setup of a conference between first unit and another unit (Casaccia, abstract) via a conference server in a scenario where the conference server has received an invitation message from the originating unit for setting up a conference call with at least the terminating unit (Casaccia, Col. 3, lines 1-6) and the conference server then receives a cancellation message from the first unit before setup of a conference leg between the conference server and the other unit is complete (Casaccia, Col. 3, lines 13-25), the method comprising: in response to the cancellation message, (1) completing setup of the

Art Unit: 2109

conference leg between the conference server and the terminating station and (2) sending a cancel signal from the conference server to the terminating unit to tear down the conference leg between the conference server and the terminating unit [see Casaccia, Fig. 7, Col. 3, lines 18- 59].

Regarding **claim 2**, Casaccia teaches the communication server carries out the completing and sending functions (Casaccia, Col. 19, lines 10-32).

Regarding **claim 3**, Casaccia teaches that invitation message sent from originating station is a Session Initiation Protocol (SIP) INVITE message, the cancellation message is a SIP CANCEL message, and the teardown message is a SIP BYE message (Casaccia, Col. 4, lines 16-25, Col. 5, lines 5-6, Col. 13, lines 9-10, 60-62, Col. 15, lines 12-22, Fig. 7).

The examiner would like to point out that an embodiment of a Session Initiation Protocol (SIP) communication system or conference server standards conventionally comprise SIP INVITE message, SIP ACK message, SIP OK (i.e. SIP 200 OK) message, SIP CANCEL message, and SIP BYE message.

Regarding **claim 4**, Casaccia teaches a method of claim 1, wherein setting up the conference leg between the communication server and the terminating station comprises sending an acknowledgement message from the communication server to the terminating station (Casaccia, abstract, Fig. 7, Col. 3, lines 1-39).

Regarding **claim 5**, Casaccia teaches a method of claim 4, wherein the acknowledgement message is a Session Initiation Protocol (SIP) ACK message (Casaccia, Figs. 5 and 7, Col. 19, lines 18-20).

Art Unit: 2109

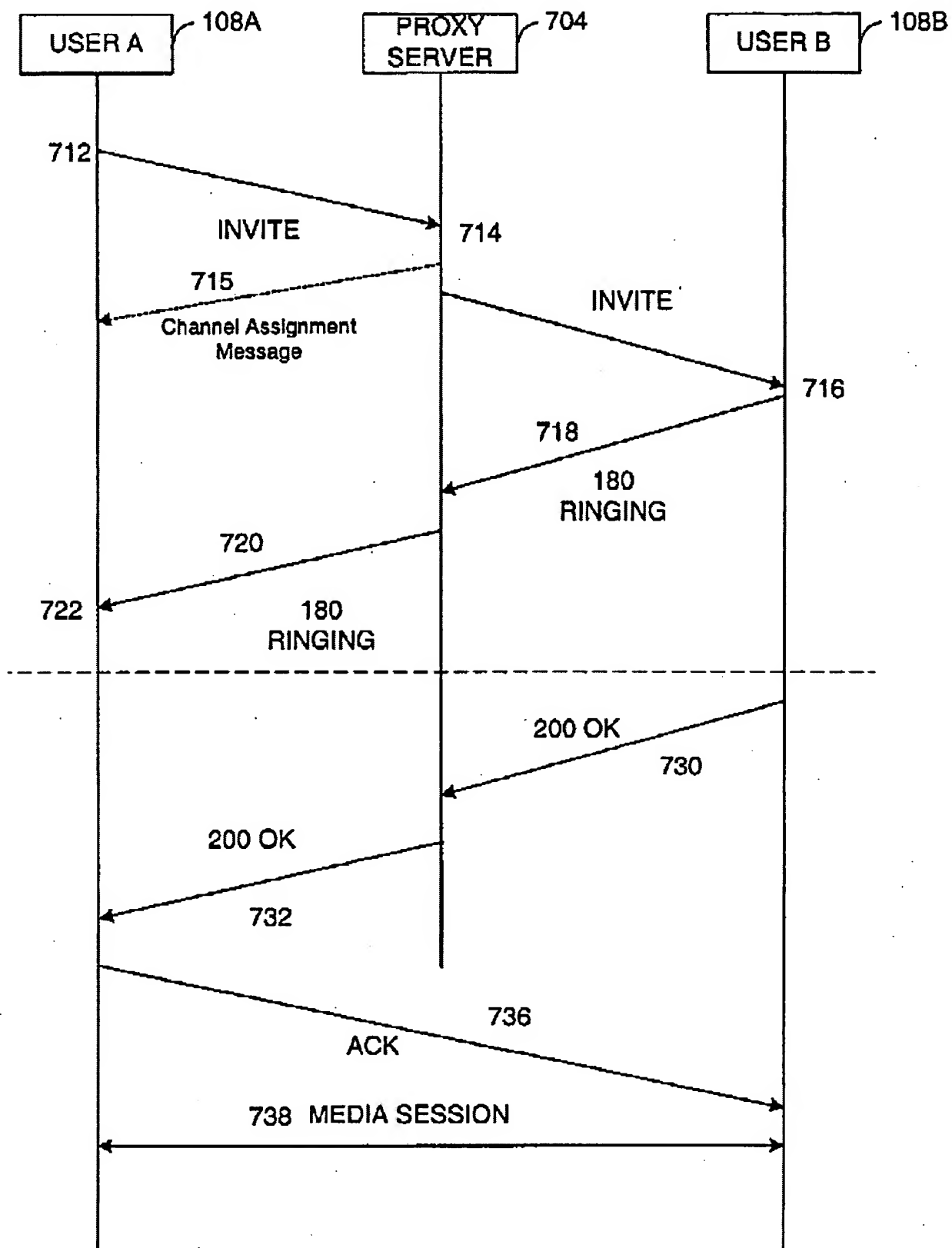


FIG. 7

Regarding **claim 6**, Casaccia teaches the method of claim 1, wherein: if the conference server has already received an agreement message from the terminating station agreeing to participate in the session, then completing setup of the conference leg between the conference server and the terminating station comprises sending an acknowledgement message from the conference server to the terminating station (Casaccia, Col. 2, lines 43-54, Col. 5, lines 5-12). Casaccia also teaches that an agreement message has not received by the server from the terminating station agreeing to participate in the session, the completion of the conference between the conference server and the terminating station includes (1) the conference server receiving the agreement message from the terminating station and (2) sending the SIP ACK message from the conference server to the terminating station [see Casaccia, Fig. 2, Col. 2, lines 43-54, Col. 6 lines 43- 65, Col. 7, lines 2-55].

Claim 7 is rejected for the same reason as discussed in claim 3 above with reference to discussion of claim 6.

Regarding **claim 8**, Casaccia discloses a proxy server for Internet conference, wireless communication, Intranet, and communication networks that meet virtual protocol wherein a conference call is a Real-time Transport Protocol (Casaccia, Col. 4, lines 51-63, Col. 5, lines 11-21 and 53-65).

Regarding **claims 9 and 10**, Casaccia teaches a method, as discussion in claim 1 above, wherein receiving a first SIP INV message from a first unit, seeking a conference call with a second unit; responsive to the first SIP INV message, sending a second invitation message to a second unit, seeking to set up a conference leg with the

Art Unit: 2109

second unit; receiving a cancellation signal from the first unit before completing setup of the conference session with the second unit; and responsive to the cancellation message, completing set up of the conference session with the second unit and sending a teardown message to the second unit, seeking to tear down the conference leg with the second station.

Regarding **claim 11**, Casaccia discloses a conference session is a Real-time Transport Protocol (RTP) session as discussed in the claims 8, 9 and 10 above (Casaccia, Col. 4, lines 51-63, Col. 5, lines 11-21, 53-65).

Regarding **claims 12**, Casaccia discloses a conference server and network comprising a processor; data storage; logic stored in the data storage and executable by the processor in a scenario where (a) the server has received from an originating station an invitation message seeking to set up a conference with at least one terminating station via the conference server and (b) the server then receives a cancellation message from the originating station before setting up a call session (Col. 20, lines 38-59) between the server and the terminating station is complete which causes the processor to (i) complete setup of the call session between the server and the terminating station and (ii) then send a teardown message to the terminating station to tear down the conference leg between the server and the terminating station (Casaccia, Figs. 1 and 7, Col. 4, lines 52-63, Col. 5 lines 10-21 and 53-65, Col. 18, lines 15-45, Col. 20, lines 38-59).

Regarding **claim 13**, Casaccia discloses the server of claim 12, wherein the invitation message is a SIP INVITE, the cancellation message is a SIP CANCEL; and

the teardown message is a SIP BYE as discussed in the claims 1, 11, and above [see Casaccia, Fig. 7 Col. 4, lines 51-63, Col. 5, lines 11-21, 53-65, Col. 19, lines 18-20].

Claim 14 is rejected for the same reason as discussed in claim 12 above with reference to discussion of claim 8 regarding a Real-time Transport Protocol (RTP) session for conference leg (Casaccia, Col. 4, lines 51-63, Col. 5, lines 11-21, 53-65).

Regarding **claim 15**, Casaccia discloses a communication network comprising network interfaces for communicating over a packet-based network (i.e. a packet-switched network) [see Casaccia, Fig. 1, Col. 4, lines 51-63].

Response to Arguments

3. Applicants' arguments filed 04/30/2007 have been fully considered but they are not persuasive.

4. Issue no. 1: Applicants state that Casaccia does not teach a method of canceling setup of a conference between an originating station and a terminating station via a conference server in a scenario recited in the present claims. Response: Casaccia teaches a method for canceling conference leg between the conference server and the originating station upon the originating station's discretions (completing setup conference session between originating station and terminating station; or only ringing the terminating station) and completing the conference session. The Examiner respectfully considers the argument not persuasive.

5. Issue no. 2: Applicants state that Casaccia does not teach "in response to the cancellation message, (i) completing setup of the conference leg between the

Art Unit: 2109

conference server and the termination station (ii) then sending a teardown message from the conference server to the terminating station.” Response: Casaccia disclosure of Figures 7 and 8 does teach such (i) and (ii). Casaccia not only teaches the request for cancellation message sent to the conference server by the origination station but also enables the automatic features of cancellation and teardown message. The Examiner respectfully sustains the rejection, and the argument therefore is not persuasive.

Conclusion

THIS ACTION IS MADE FINAL. Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Art Unit: 2109

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TuanKhanh.Phan whose telephone number is 571-270-3047. The examiner can normally be reached on Mon to Fri, 9:00am to 5:00pm EST, 1st Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Assouad can be reached on 571-272-2210. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TKP



PATRICK ASSOUD
SUPERVISORY PATENT EXAMINER